

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95291

TONOUCHI Hidekazu, et al.

Appln. No.: 10/581,304

Group Art Unit: 1654

Confirmation No.: 1881

Examiner: Ronald T. Niebauer

Filed: November 2, 2006

For: PEPTIDE INHIBITING ANGIOTENSIN CONVERTING ENZYME

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction and Election of Species Requirement dated March 30, 2009, which is timely filed by May 30, 2009 with a one month extension of time.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicants elect for examination **Group I, claims 11-16**, drawn to peptides/compositions of peptides. This election is made without traverse. **Applicants note that claim 15 is missing in the Requirement, and respectfully submit that claim 16 refers to claim 14 and properly falls into Group I.**

Response to Species Election Requirement

This responds to the Election of Species Requirement dated March 30, 2009. The Examiner has identified the application as containing claims directed to more than one distinct

species. The Examiner has required the Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes there are no generic claims. Applicants have been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicants elect for examination **MAP (SEQ. ID. NO:1) on which claims 11-16 are readable.**

Applicants submit that if the elected species is free of prior art, then remaining un-elected species also should be examined for their patentability.

Applicants further submit that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicants reserve the right to file a Divisional Application directed to non-elected claims 17-18.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Sunhee Lee/

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Date: May 29, 2009